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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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John Laszloffy,

Plaintiff,

v.

Cindy Zoraida Garcia,

Defendants.

Case No. 2:19-cv-1173-JAD-BNW

ORDER

Before the Court is plaintiff John Laszloffy's application to proceed in forma pauperis ("IFP) and motion for reconsideration of this Court's order denying his prior motion to proceed in form pauperis. ECF Nos. 13 and 14. The Court will grant Laszloffy's application and deny the motion for reconsideration as moot.

Federal law provides that the Court may authorize a civil litigant to commence a suit in forma pauperis, without prepayment of fees, if the litigant "is unable to pay such fees or give security therefor." 28 U.S.C. § 1915(a)(1). To that end, under the Local Special Rules, a person who desires to proceed in forma pauperis must use the application form provided by the Court. LSR 1-1. That form must include "a financial affidavit disclosing the applicant's income, assets, expenses, and liability." *Id.*

Based on Laszloffy's application, his average monthly income is \$1,242.00, and his monthly expenses exceed that amount. Mr. Laszloffy is not employed and it is clear to the Court that he is unable to pay the filing fee for this civil action. Further, Laszloffy included the requisite affidavit declaring that he provided the information in his application under penalty of perjury. Therefore, his application to proceed IFP will be granted.

When a litigant proceeds IFP, the Court is obligated to screen the litigant's complaint. *See* 28 U.S.C. § 1915(e)(2). The operative complaint in this matter is at ECF No. 1-1. The Court will

1 therefore screen that complaint in the ordinary course, but Laszloffy is advised that this may take
2 several months. Further, Laszloffy previously filed a motion to amend the complaint at ECF
3 No. 1-1, but the Court denied that motion without prejudice. If Laszloffy would like the Court to
4 screen a complaint other than the one at ECF No. 1-1, he must file a motion to amend in
5 accordance with the Federal Rules of Civil Procedure.

6 **Conclusion**

7 IT IS THEREFORE ORDERED that plaintiff's Application to Proceed in forma pauperis
8 (ECF No. 14) is GRANTED.

9 IT IS FURTHER ORDERED that plaintiff's motion for reconsideration (ECF No. 13) is
10 DENIED as moot.

11 IT IS FURTHER ORDERED that if plaintiff desires for the Court to screen a complaint
12 other than the complaint at ECF No. 1-1, he must file a motion to amend.

13 DATED: June 24, 2020.

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16 **BRENDA WEKSLER**
17 **UNITED STATES MAGISTRATE JUDGE**
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